

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

CRIMINAL NO: 05-10010 – NMG

IGOR MOSEYEV

MOTION TO EXTEND SELF-SURRENDER DATE

Now comes the defendant, Igor Moseyev, by and through his counsel of record and hereby moves this Honorable Court to extend the defendant's Self-Surrender date from February 7, 2007 thirty (30) days to March 9, 2007. In support thereof the defendant states the following:

- 1.) On January 10, 2007 the defendant was sentenced to an 18-month term of imprisonment.
- 2.) This Honorable Court allowed the defendant to Self-Surrender, ordering that the defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 2:00p.m. on February 7, 2007.
- 3.) The Court further recommended to the Bureau of Prisons that the "defendant be placed at FMC Devens if feasible and appropriate security level."
- 4.) When the defendant contacted the United States Marshals Service on his contact date of January 31, 2007, the defendant was informed that he had not yet been designated to an institution and that he should ask this attorney to file this motion.

5.) On Monday, February 5, 2007, counsel contacted the United States Marshals and was informed that the defendant had indeed not yet been designated due to the fact that the Marshals had not yet received the "Judgment."

6.) Due to the defendant's medical history, as outlined in his pre-sentence report, as well as this Honorable Court's previous order allowing him to self-report, hopefully to a designated medical facility, the defendant respectfully requests this Honorable Court to extend the time for self-surrender to March 9, 2007.

WHEREFORE, the defendant Igor Moyseyev hereby requests that this Honorable Court extends his self-surrender date by thirty (30) days to March 9, 2007.

Respectfully submitted  
IGOR MOYSEYEV,  
By his attorneys,

/s/ James E. McCall  
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/s/ Murray P. Riser  
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served on all counsel of record on February 5, 2007, by complying with this court's directives on electronic filing.

/s/ Adam J. Foss

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AFFIDAVIT

I, James E. McCall, do hereby depose and state the following:

- 1.) I am one of the attorneys of record for the defendant Igor Moyseyev.
- 2.) All of the facts contained in the defendant's Motion to Extend Self-Surrender date are true to the best of my knowledge and belief.
- 3.) When I called the United States Marshal's Service on the morning of Monday, February 5, 2007, I was informed that Moyseyev had not been designated because the Marshals had not yet received the "JNC" or "Judgment in a criminal case." I was informed that normally, the judgment is sent to pre-trial services, who then loads it and the Marshals then pull it off. It was suggested to me that this motion be filed.

Signed under the pains and penalties of perjury this 5<sup>th</sup> day of February, 2007.

/s/ James E. McCall